

ORIGINAL

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20054

In the Matter of )  
 )  
Amendment of 73.202(b) )  
Table of Allotments )  
FM Broadcast Stations )  
(Valley Mills, TX) )

MM Docket No. 99-\_\_\_\_\_

RECEIVED

NOV 23 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: John Karousos, Chief  
Allocations Branch  
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 CFR 1.401, Valley Mills Radio Broadcasting Company ("VMRBC") respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add channel 237C2 at Valley Mills, TX.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating channel 237C2 to Valley Mills, TX, as that community's first local aural service.

Valley Mills, TX, an incorporated city in Bosque County, Texas, has a Mayor, City Council, City Clerk and City Hall (which also serves as a Senior Citizens Center). Valley Mills had a 1995 population of 1,157 persons.<sup>1/</sup>

Valley Mills has its own schools, fire and police departments, and its own post office (zip code 76689). Like other "communities" to which the FCC has allotted a "first local aural service," Valley Mills has numerous local churches, a town library, medical clinic, dentist office, nursing home, three car

<sup>1/</sup> See 1995 Texas Almanac, Survey of Local Officials.

No. of Copies rec'd 014  
List ABCDE  
WMB

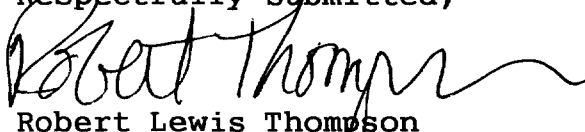
dealerships and at least 64 commercial business establishments (including grocery, gas stations, restaurants and retail/gift shops). <sup>2/</sup> Valley View also has local civic organizations, including the Lions Club and a Masonic Lodge.

Attached hereto is an engineering report, which contains a channel study confirming that channel 237C2 can be allocated to Valley Mills, TX consistent with the FCC's separation rules. See Appendix A.

Allotment of channel 237C2 to Valley Mills, TX would provide that incorporated city with its first local aural service and would result in a preferential arrangement of FM allotments. See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Finally, should this Petition be granted, and channel 237C2 be allocated to Valley Mills, TX, Petitioner will apply for channel 237C2 and, after if it is granted a CP, will promptly construct the new facility.

Respectfully submitted,



Robert Lewis Thompson  
**TAYLOR THIEMANN & AITKEN, L.C.**  
908 King Street, Suite 300  
Alexandria, VA 22314  
(703) 836-9400

November 23, 1999

Counsel for Valley Mills Radio  
Broadcasting Company

---

<sup>2/</sup> Source: Dun & Bradstreet credit rating service, 1/30/97.

**ENGINEERING STATEMENT  
IN SUPPORT OF  
PETITION FOR RULE MAKING**

**November 21, 1999**

**Valley Mills Radio Broadcasting Co.  
FM Channel 237C2 □ 95.3 Megahertz  
Valley Mills, Texas**



**LAWRENCE L. MORTON ASSOCIATES**  
2867 BELDEN DRIVE  
HOLLYWOOD HILLS, CALIFORNIA 90068-1901  
(323) 467-5010 / FAX (323) 467-5848

# **ENGINEERING STATEMENT**

The information and data contained within this engineering statement were prepared on behalf of Valley Mills Radio Broadcasting Co., in support of a Petition for Rule Making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by allotting Channel 237C2 to Valley Mills, Texas.

## **I. VALLEY MILLS, TEXAS**

Valley Mills is a city located along the southeastern edge of Bosque County, Texas. The 1990 U.S. Census population of Valley Mills was 1,085 persons. The 1990 U.S. Census population of Bosque County was 15,125 persons, an increase of 12.9 percent above the 1980 U.S. Census population of 13,401 persons.

Valley Mills has been assigned Postal ZIP Code 76689 by the U.S. Postal Service. The city has no commercial aural broadcast services. The Bureau of the Census centroid geographic coordinates of Valley Mills, referenced to the North American Datum of 1927, are:

North Latitude: 31 degrees, 39 minutes, 30 seconds  
West Longitude: 97 degrees, 28 minutes, 18 seconds

Because of licensed stations KKMJ-FM on Channel 238C1 at Austin, and KCKR(FM) on Channel 239C2 at Waco, and a pending Petition for Rule Making for Channel 236C2 at Caldwell, a site restriction is required for the Channel 237C2 allotment at Valley Mills. At a point corresponding to the following geographic coordinates, which is 27.5 kilometers west, northwest of Valley Mills, the Channel 237C2 allotment can be made at Valley Mills in compliance with the minimum distance separation requirements 47 C.F.R. § 73.207.

North Latitude: 31 degrees, 44 minutes, 52 seconds  
West Longitude: 97 degrees, 44 minutes, 33 seconds

From these reference geographic coordinates, Channel 237C2 is fully-spaced to all FCC assignments, allotments and proposals contained within the latest *FCC FM Engineering Database*. Figures one and two show the relative locations of Bosque County within the State of Texas, and of the city of Valley Mills within Bosque County. Figure three shows the incorporated city limits of Valley Mills and the allotment reference site. Figure five depicts the 70 dBμ city grade contour from the allotment reference site, and that it encompasses fully the entire city limits of Valley Mills.

## II. MINIMUM SPACING REQUIREMENTS

The following table lists the nearest assignments and allocations currently on file with the required distance separations for Channel 237C2. For clarity, facilities that are greater than 350 kilometers beyond the minimum required separations are not shown.

As required by § 73.207 all minimum distance separation requirements are met from the Channel 237C2 allotment reference site proposed for Valley Mills. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

ALLOCATION-PERTINENT STATIONS AND SPACING REQUIREMENTS OF § 73.207					
CALL LETTERS	CHANNEL /CLASS	NORTH LATITUDE	WEST LONGITUDE	ACTUAL DISTANCE	REQUIRED DISTANCE
KAMX	234C	30° 19' 23"	97° 47' 58"	158. Km	105. Km
KWRD-FM	235C	32° 35' 22"	96° 58' 10"	118	105
KYKR	236C	30° 09' 31"	93° 59' 11"	399	188
KAGT	236C1	32° 24' 24"	99° 27' 26"	178	158
KLTR	236C2	30° 47' 18"	96° 38' 06"	150	130
KVMX	236A	32° 28' 34"	98° 50' 20"	131	106
KCXY	237C1	33° 30' 14"	92° 48' 38"	501	224
XHLPZ-FM	237C	27° 01' 17"	100° 30' 36"	590	270
KHYI	237C3	33° 23' 43"	96° 35' 50"	212	177
ALLOC	237A	33° 13' 06"	98° 09' 48"	168	166
KHYI	237C2	33° 31' 09"	96° 47' 05"	216	190
KKMJ-FM	238C1	30° 19' 23"	97° 47' 58"	158	158
KZFM	238C	27° 39' 32"	97° 34' 10"	455	188
KKAJ-FM	239C1	34° 05' 56"	97° 10' 54"	266	79
KCKR	239C2	31° 30' 51"	97° 11' 43"	58	58
KIKK-FM	239C	29° 34' 34"	95° 30' 36"	322	105
KYXS	240C3	32° 39' 15"	98° 11' 58"	109	56
KYXS-FM	240C1	32° 39' 35"	98° 09' 34"	109	79
PRM	290C3	32° 07' 42"	99° 11' 18"	143	17
KQTZ	290C	34° 52' 15"	99° 17' 36"	376	35
PRM	290C2	31° 44' 30"	99° 19' 36"	150	20
KBAL	291A	31° 11' 26"	98° 42' 55"	111	15
KHKS	291C	32° 35' 22"	96° 58' 10"	118	35

### III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Valley Mills Radio Broadcasting Co., respectfully requests the following change to the Table:

<u>CITY</u>	<u>PRESENT</u>	<u>CHANNEL</u>
Valley Mills, TX		----

<u>CITY</u>	<u>PROPOSED</u>	<u>CHANNEL</u>
Valley Mills, TX		237C2

The petitioner asserts that, upon allotment of Channel 237C2 to Valley Mills and the lifting of the present freeze on new applications, an application for construction permit to build a new Class C2 facility will be filed promptly to serve Valley Mills, Texas.

Respectfully Submitted,

Lawrence L. Morton, P.E.  
Consulting Engineer to the Petitioner  
November 21, 1999



# State of Texas

CENTER OF MAP:

N LAT 31° 20' 56.00"  
W LON 99° 39' 55.00"

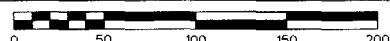
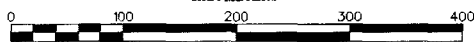
Scale 1 : 6,642,985

FIGURE 1

COUNTY OF BOSQUE  
STATE OF TEXAS

VALLEY MILLS RADIO BROADCASTING CO.

KILOMETERS



STATUTE MILES

**LAWRENCE L. MORTON ASSOCIATES**  
Telecommunications Engineers  
Hollywood Hills, California

## Gulf of Mexico

Lambert Azimuthal Equal-Area

10' 00" Graticule Spacing

GLEN ROSE

CENTER OF MAP:

N LAT 31° 53' 24.00"

W LON 97° 31' 58.00"

Scale 1 : 403,683

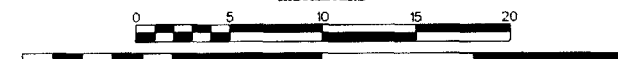
FIGURE 2

CITY OF VALLEY MILLS

COUNTY OF BOSQUE

VALLEY MILLS RADIO BROADCASTING CO.

KILOMETERS



STATUTE MILES



**LAWRENCE L. MORTON ASSOCIATES**

Telecommunications Engineers

Hollywood Hills, California

WALNUT SPRINGS

BLUM

MORGAN

HILLSBORO

BYNUM

WHITNEY

MERIDIAN

ABBOTT

Bosque County

AQUILLA

WEST

CRANFILLS GAP

CLIFTON

ROSS

LEROY

GOLSON

VALLEY MILLS

NORTHCREST

LACY-LAKEVIEW

BELLMEAD

WACO

32° 10' 00" +

32° 00' 00" +  
HICO

31° 50' 00" +

31° 40' 00" +  
98° 00' 00" +

97° 50' 00" +

97° 40' 00" +

97° 20' 00" +

97° 10' 00" +

97° 00' 00" +



Lambert Azimuthal Equal-Area

5' 00" Graticule Spacing

CENTER OF MAP:

N LAT 31° 43' 36.00"

W LON 97° 34' 54.00"

Scale 1 : 176,795

FIGURE 3

CITY OF VALLEY MILLS  
AND ALLOTMENT REFERENCE SITE  
VALLEY MILLS RADIO BROADCASTING CO.

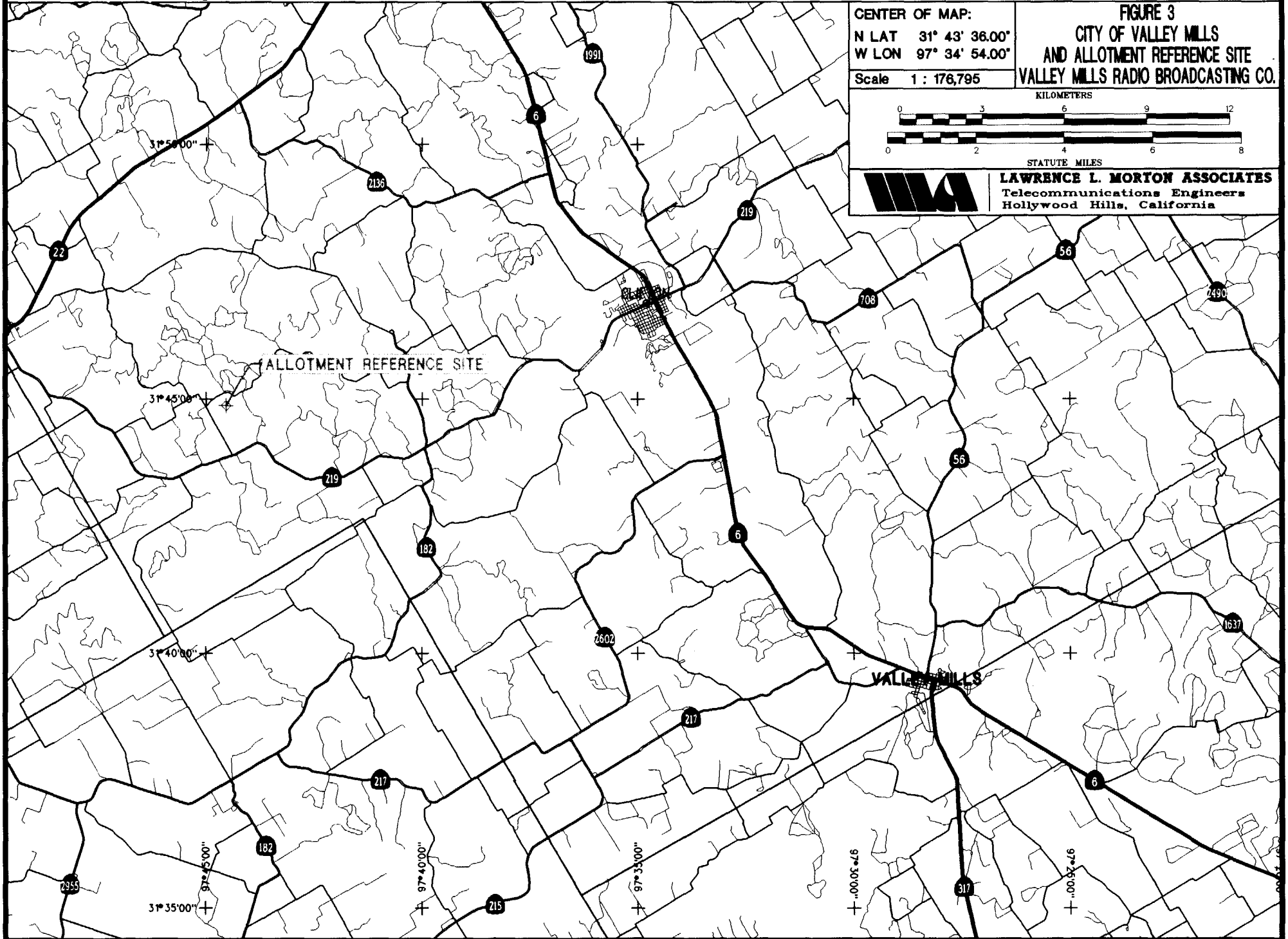
KILOMETERS



STATUTE MILES



**LAWRENCE L. MORTON ASSOCIATES**  
Telecommunications Engineers  
Hollywood Hills, California



Lambert Azimuthal Equal-Area

5' 00" Graticule Spacing

CENTER OF MAP:

N LAT 31° 43' 36.00"

W LON 97° 34' 54.00"

Scale 1 : 176,795

FIGURE 4

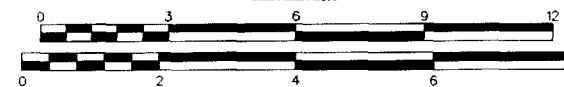
FULLY-SPACED AREA TO LOCATE

FM CHANNEL 237C2

VALLEY MILLS, TEXAS

VALLEY MILLS RADIO BROADCASTING CO.

KILOMETERS



STATUTE MILES



LAWRENCE L. MORTON ASSOCIATES

Telecommunications Engineers

Hollywood Hills, California

FULLY-SPACED AREA TO LOCATE CHANNEL 237C2

ALLOTMENT REFERENCE SITE

VALLEY MILLS

[illegible]

This topographic map displays the Allotment Reference Site and the 70 dBu F(50,50) Service Contour. The map includes a grid of latitude and longitude coordinates, with major roads and geographical features labeled. The Allotment Reference Site is located near Cranfield Gap, and the 70 dBu F(50,50) Service Contour is shown as a dashed line. The map also includes a scale bar and a north arrow.

**Lambert Azimuthal Equal-Area**

**CENTER OF MAP:**  
N LAT 31° 47' 54.00"  
W LON 97° 35' 38.00"

**Scale 1 : 397,845**

**FIGURE 5**  
**70 DBU CITY GRADE CONTOUR**  
**FROM CHANNEL 237C2 FACILITY**  
**AT PROPOSED ALLOTMENT REFERENCE SITE**  
**VALLEY MILLS RADIO BROADCASTING CO.**

**KILOMETERS**  
0 5 10 15 20

**STATUTE MILES**  
0 5 10 15 20

**LAWRENCE L. MORTON ASSOCIATES**  
Telecommunications Engineers  
Hollywood Hills, California

**ALLOTMENT REFERENCE SITE**

**70 dBu F(50,50) SERVICE CONTOUR**

**CRANFIELD GAP**

**WOODVILLE**

**NORTHWEST LACY CREEK**

**MOOREHEAD**

**CHOLSON**

**AQUILLA**

**ABERT**

**CRANFORD**

**MCOREOR**

**WOO**

**31° 40' 00"**

**31° 30' 00"**

**31° 20' 00"**

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**69° 20' 00"**

**69° 10' 00"**

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**Lambert Azimuthal Equal-Area**

**10' 00" Graticule Spacing**

**CENTER OF MAP:**  
 N LAT 31° 47' 54.00"  
 W LON 97° 35' 38.00"

**Scale 1 : 397,845**

**FIGURE 5**  
 70 DBU CITY GRADE CONTOUR  
 FROM CHANNEL 237C2 FACILITY  
 AT PROPOSED ALLOTMENT REFERENCE SITE  
 VALLEY MILLS RADIO BROADCASTING CO.

**KILOMETERS**  
 0 5 10 15 20

**STATUTE MILES**  
 0 5 10 15 20

**LAWRENCE L. MORTON ASSOCIATES**  
 Telecommunications Engineers  
 Hollywood Hills, California

**70 dBu F(50,50) SERVICE CONTOUR**

**ALLOTMENT REFERENCE SITE**

**CRANFIELD GAP**

**WALNUT CREEK**  
**FREMONT**  
**HAYWARD**  
**WOODBRIDGE**  
**MCORE**

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 Hollywood Hills, California

**70 dBu F(50,50) SERVICE CONTOUR**

**ALLOTMENT REFERENCE SITE**

**CRANFIELD GAP**

**WALNUT CREEK**  
**FREMONT**  
**HAYWARD**  
**CONCORD**  
**WOODBRIDGE**  
**MCORE**

**Figure 5**  
**70 dBu City Grade Contour**  
**From Channel 237C2 Facility**  
**At Proposed Allotment Reference Site**  
**Valley Mills Radio Broadcasting Co.**

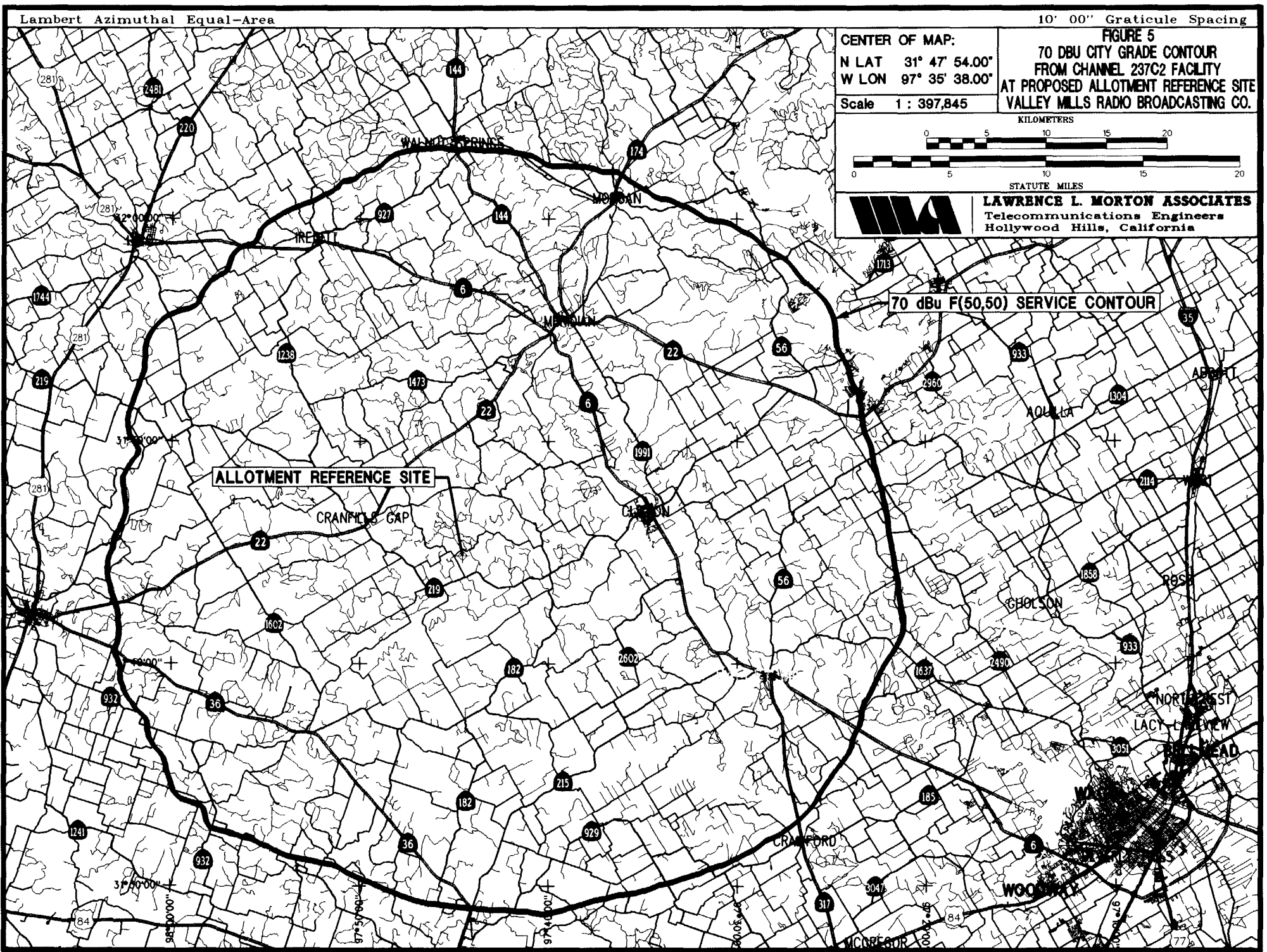
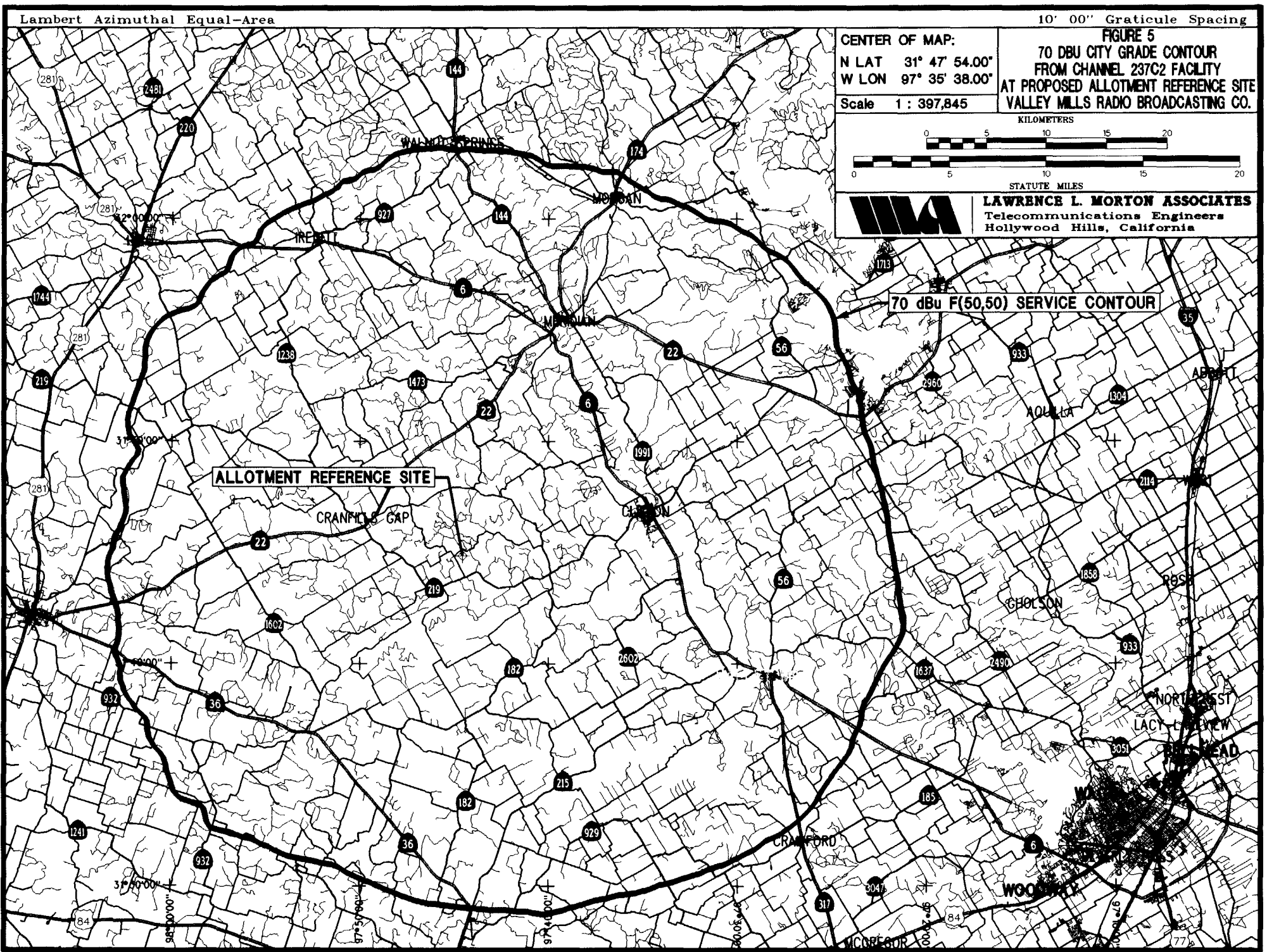
**Center of Map:**  
 N Lat 31° 47' 54.00"  
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**Scale 1 : 397,845**

**10' 00" Graticule Spacing**

**Figure 5**  
**70 dBu City Grade Contour**  
**From Channel 237C2 Facility**  
**At Proposed Allotment Reference Site**  
**Valley Mills Radio Broadcasting Co.**

**Lawrence L. Morton Associates**  
 Telecommunications Engineers  
 Hollywood Hills, California

[illegible][illegible][illegible][illegible]

**Lambert Azimuthal Equal-Area**

**10' 00" Graticule Spacing**

**CENTER OF MAP:**  
 N LAT 31° 47' 54.00"  
 W LON 97° 35' 38.00"

**Scale 1 : 397,845**

**FIGURE 5**  
 70 DBU CITY GRADE CONTOUR  
 FROM CHANNEL 237C2 FACILITY  
 AT PROPOSED ALLOTMENT REFERENCE SITE  
 VALLEY MILLS RADIO BROADCASTING CO.

**KILOMETERS**  
 0 5 10 15 20

**STATUTE MILES**  
 0 5 10 15 20

**LAWRENCE L. MORTON ASSOCIATES**  
 Telecommunications Engineers  
 Hollywood Hills, California

**70 dBu F(50,50) SERVICE CONTOUR**

**ALLOTMENT REFERENCE SITE**

**CRANFIELD GAP**

**WALNUT CREEK**  
**FREMONT**  
**SAN FRANCISCO**  
**CONCORD**  
**WOODBRIDGE**  
**MCORE**

**Lambert Azimuthal Equal-Area**

**CENTER OF MAP:**  
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W LON 97° 35' 38.00"

**Scale 1 : 397,845**

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**70 DBU CITY GRADE CONTOUR**  
**FROM CHANNEL 237C2 FACILITY**  
**AT PROPOSED ALLOTMENT REFERENCE SITE**  
**VALLEY MILLS RADIO BROADCASTING CO.**

**KILOMETERS**  
0 5 10 15 20

**STATUTE MILES**  
0 5 10 15 20

**LAWRENCE L. MORTON ASSOCIATES**  
Telecommunications Engineers  
Hollywood Hills, California

**ALLOTMENT REFERENCE SITE**

**70 dBu F(50,50) SERVICE CONTOUR**

The map displays a topographic representation of a region in central Missouri, centered near Hannibal. A prominent feature is the "ALLOTMENT REFERENCE SITE," which is enclosed by a rectangular boundary. To the east of this site, a thick black line delineates the "70 dBu F(50,50) SERVICE CONTOUR." The map includes a network of roads, with major highways such as US-240, MO-22, MO-6, MO-144, and MO-36 clearly labeled. Numerous smaller towns and locations are identified, including Walnut Grove, Crane's Gap, Cranford, Woodville, and North West Lacy. The map also shows contour lines indicating elevation changes across the terrain. In the upper right corner, there is a title block containing project information, center coordinates, scale, and contact details for Lawrence L. Morton Associates. Below the title block are two graphical scales: one in kilometers (0 to 20) and another in statute miles (0 to 20). The map is oriented with North at the top.

## AFFIDAVIT

State of California                    )  
  )    ss:  
County of Los Angeles            )

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and
- That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

Date: November 21, 1999

  
\_\_\_\_\_  
Lawrence L. Morton, P.E.

On November 21, 1999, before me, Linda Lu, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My Commission expires 11/30/2001

  
\_\_\_\_\_  
Notary Public

